

REMARKS

**Status of Claims:**

Claim 9 is the sole claim pending for examination.

**Prior Art Rejection:**

Claim 9 stand rejected under 35 U.S.C. § 103 as obvious over Simone in view of Nakamura and Fukada.

The examiner's rejections are respectfully traversed.

In the prior amendment, applicant amended claim 9 to recite that the concentration fault management section continuously signaled, if a fault notification occurred, a reset signal to the processor and the circuit section "without intervention of said processor bus". Evidently, the examiner is interpreting Simone to disclose this limitation of applicant's claim in stating that "Simon discloses a reset signal without intervention of said processor bus because there is no indication of the processor bus interfering or intervening with a shutdown routine or reset". It is clear from this comment that the examiner did not understand applicant's intent in the prior amendment. Applicant intended that the phrase "without intervention" to mean that the processor bus was not used in the reset notification, and not that the processor bus did not interfere with the reset signals.

Thus, in order to make applicant's intent more clear, applicant has amended claim 9 to recite that the concentration fault management section continuously signals, if a fault notification occurred, a reset signal to the processor and the circuit section utilizing signal lines that are separate and distinct from the processor bus. These separate and distinct signal lines are clearly shown as lines 5 and 8 in applicant's Fig. 2. In contrast, Simone only discloses the internal bus 13 (see column 2, line 64 and Figs 1 and 2 of Simone) as interconnecting the CPU to other elements of the network device 12 and clearly does not disclose separate and distinct signal lines as recited. This limitation is also not disclosed in the teachings of Nakamura and Fukada. As such, the PTO has not made out a *prima facie*

case of obviousness under the provisions of 35 U.S.C. § 103, and thus applicants claim is patentable over the prior art.

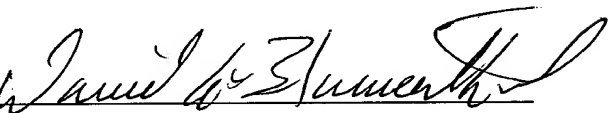
**Conclusion:**

It is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 27, 2005

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5407  
Facsimile: (202) 672-5399

David A. Blumenthal  
Attorney for Applicant  
Registration No. 26,257